

REMARKS

Claim 26 *inter alia* calls for "when the time delay is greater than the predetermined threshold, displaying the video stream from the storage device and when the time delay is less than the predetermined threshold displaying the video stream without storing said stream.

Two things are cited in support of this and one of those cited items is within the specification. The cited specification material is at column 6, line 50 through column 7, line 9. Nothing therein teaches changing review display from the storage device or without storing the stream based on the time delay. The first paragraph of the cited material talks about a frame advance key which advances a frame when actuated by the user. It cannot have any bearing. The next paragraph, starting at column 6, line 57 talks about a pause key. This enables the user to check the subliminal or other unwanted information. It allows you to individually step through or review each of the frames. Clearly, this paragraph has no bearing.

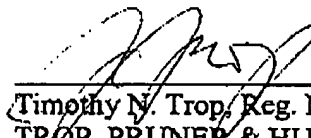
The next paragraph begins at column 6, line 66. It talks about a terminate key. The actuation of which is responded to by the control circuit by cessation of storage of information. But continuing the sequential playback of stored information until the end of the stored segment is reached. When the end of the storage segment is reached, playback of the stored information is stopped. Clearly, there is no discussion here of determining whether the time delay is less than a predetermined threshold and, if so, displaying the video without storing the stream. Clearly, there is no switching from displaying from stored video to displaying without stored storing. Instead, it is explained that when the stored program end is reached, the recorder reverts to "a passive state."

The other material relied on is in the claims at column 9, lines 20-27. However, as pointed out before, this material was added during the prosecution of the application. Since that Camhi application did not publish until 1999, which is after the filing date of the present application, material not in the original application does not constitute prior art under Section 102(e) and could not constitute prior art under Section 102(b) until the application was published, which is after the filing date. Thus, the continued reliance on the material cited in the claims, which was after the filing date of the original application and the continuation application, should be unavailing.

Therefore, reconsideration of the rejection is called for.

Respectfully submitted,

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